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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/780,222

02/17/2004

Mauro Anguillesi

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03/22/2006

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EXAMINER

FAYYAZ, NASHMIYA SAQIB

ART UNIT

PAPER NUMBER

2856

DATE MAILED: 03/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/780,222

Applicant(s)

ANGUILLES ET AL.

Am

Examiner

Nashmiya S. Fayyaz

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 1-13 and 20 is/are allowed.
6) ☒ Claim(s) 14-19 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 16 is objected to because of the following informalities: "said strips" lacks clear antecedent basis. Appropriate correction is required.

Claim Rejections - 35 USC § 102

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claim 14 is rejected under 35 U.S.C. 102(b) as being anticipated by Kashima et al- U.S. Patent # 4,817,447. As to claim 14, Kashima et al disclose a weather resistance tester which tests fibers i.e. textiles and an associated method including positioning a sample S on support 7 with plural through holes unnumbered including temperature adjusting means 6 with holes for injecting liquid through said support 7 via said through holes, see Fig. 2 and 9 and col. 6, lines 42 et seq.
3. Claims 14-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Klippert-U.S. Patent # 4,012,954. As to claims 14-16, Klippert discloses a color fastness testing apparatus for textiles and associated method including positioning a sample 30 to be tested on support 32/86 with injection of liquids through the support via feedlines i.e. through holes 88/90 in the support, see col.4, lines 23 et seq and Figs. 1 and 4. As to claims 15-16, note "different cloth

strips" 104 i.e. constituting the multifiber witness which includes a plurality of strips. As to claim 17, the cloth strips which are coated on to the samples and to some degree "compress" the sample to the support due to their added weight. As to claims 18 and 19, the holes 88/90 appear to "cross" the support face i.e. the side face of the support where the liquid is "injected" through such support face.

Allowable Subject Matter

4. Claims 1-13 and 20 are allowed.

Response to Arguments

5. Applicant's arguments filed 12/29/05 have been fully considered but they are not persuasive. Applicant has argued that Kashima and Klippert lack providing a support defining a plurality of through holes and injecting liquid through these through holes and with regard to claim 17, there is no compressing, and with regard to new claims 18-19, there is no support face in the support plate. Such arguments are not found persuasive because both Kashima and Klippert disclose support with through holes for injecting liquid, see rejections above for specific structure references. Further, with regard to claim 17, it is noted that the claim merely recites "compressing" and does not specify the type of compressing where it appears that the cloth strips 104 placed on top of the sample would have some degree of compressing on the sample and would meet the mere claim limitation of "compressing" the sample. Furthermore, with

regard to the argument for claims 18-19, no "support face" has been defined in the specification nor depicted such that any face of the support could be recited as the support face.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nashmiya S. Fayyaz whose telephone

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number is 571-272-2192. The examiner can normally be reached on Mondays and Wednesdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron E. Williams can be reached on 571-272-2208. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



NFayyaz
Examiner
Art Unit 2856

nf
3/15/06



HEZRON WILLIAMS
SUPERVISORY PATENT EXAMINER
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